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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/719,389
Filing Date: June 25, 2001
Appellant(s): HOLLIDAY ET AL.

Richard Wydeven
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 19, 2009 appealing from the Office action mailed March 19, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The amendment after the notice of appeal filed on August 7, 2009 has been entered.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows:

NEW GROUND(S) OF REJECTION

Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as it is a single means claim. A single means claim, i.e., where a means recitation does not

appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor. *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983).

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner.

Claims 1-3, 5-8, 22, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al (US 5,548,338 and hereafter referred to as "Ellis3") in view of Yuen et al (US 6,028,599 and hereafter referred to as "Yuen").

Claims 4, 23, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis3 in view of Yuen as applied to claim 1 above, and further in view of Terasawa et al (US 6,147,714 and hereafter referred to as "Terasawa").

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 5,760,821	Ellis et al	06/1998
US 6,418,556	Bennington et al	07/2002

US 2007/0271582	Ellis et al	11/2007
US 5,808,694	Usui et al	09/1998
US 6,160,545	Eyer et al	12/2000
WO 97/47136	Yuen	12/1997
US 5,801,753	Eyer et al	09/1998

"Decoder." Microsoft Press 3rd edition Computer Dictionary. 1997.

(9) Grounds of Rejection

NEW GROUND(S) OF REJECTION

Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as it is a single means claim. A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor. *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983).

The following ground(s) of rejection are applicable to the appealed claims:

Claims 9-13 and 26-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al (US 5,760,821 and hereafter referred to as "Ellis"). *Note: Ellis et al incorporates Bennington et al (Application 08/119,367 published as US*

6,418,556 and hereafter referred to as Bennington on Column 1, lines 21-25, Column 2, lines 43-45, Column 3, lines 35, Column 4, lines 2-3).

Regarding Claim 9, Ellis discloses a receiver (Figure 1, 52) for receiving TV signals in a plurality of channels each defining a television program and/or services provided by a broadcaster (Column 1, lines 15-20, See Bennington: Figure 18, Column 6, lines 33-49, Abstract), and a channel set identity or group number for Colorado region (Column 3, line 49) and a channel subset identity or group number for local schedules including cable headed of Denver for the channel or the scheduling information (Column 3, lines 50-65; See Bennington: Figure 18, Abstract); the receiver comprising:

means for storing a reference channel set identity or group number (Column 3, lines 49, 66-67, Column 4, lines 1-9) and one or more reference channel subset identities or group identities (Column 3, lines 50-65, 66-67, Column 4, lines 1-9);

means for comparing the channel identity and channel subset identify (Column 4, lines 9-15); and

means for outputting the received TV signal for display of the program or other services defined depending on the comparison (Figure 2, 52, 54, Column 1, lines 13-20, 61-67, Column 2, lines 1-4, 49-57; See Bennington: Figure 18, Abstract, Column 4, lines 15-28).

Regarding Claim 10, Ellis discloses all the limitations of Claim 9. Ellis discloses storing means or RAM to store the common channel subset such as

cable operator to identifying programs and/or services receivable independent of the receivers location (Column 3, lines 49, 66-67, Column 4, lines 1-9) and a regional channel subset identifying programs and/or other services receivable depending on the location of the receiver specific to a CATV network (Column 3, lines 51-53, 66-67, Column 4, lines 1-9).

Regarding Claims 11 and 26, Ellis discloses all the limitations of Claims 9 and 10 respectively. Ellis discloses that each channel has associated with it a logical channel number which varies on a channel subset basis (Column 3, lines 49, 66-67, Column 4, lines 1-9; See Bennington: Figure 18), the receiver comprising means for displaying a list of program and/or other services containing the logical channel number or services and programming for specific channels (Column 3, lines 25-29, 45-55, 66-67, Column 1, lines 13-20; See Bennington: Figure 18).

Regarding Claims 12, 27, 28, 29, Ellis discloses all limitations of Claims 9, 10, 11 and 26 respectively. Ellis discloses wherein each channel has associated with it an order channel number which varies on a channel subset basis such as geographical market including Denver (Column 4, lines 30-55, Column 1, lines 13-20, See Bennington: Figure 18, Column 6, lines 38-48), the receiver comprising means for displaying a list of programs and/or other services depending the order channel number (Column 1, lines 13-20; See Bennington: Figure 18).

Regarding Claims 13, 30, 31, 33, Ellis discloses all limitations of Claims 9, 10, 11 and 26 respectively. Ellis discloses each channel has associated with it

one or more indicators (See Bennington: Figure 11, 113, 122, i, Column 11, lines 37-43, Column 12, lines 35-48, Column 15, lines 48-57), the receiver comprising means responsive to the indicators for controlling display of program and/or service information (See Bennington: Column 8, lines 49-67, Column 9, lines 7-30, Figure 1, 16).

Regarding Claims 32, 34, 35, 36, Ellis discloses all limitations of Claims 12, 27, 28, and 29 respectively. Ellis discloses each channel has associated with it one or more indicators (See Bennington: Figure 11, 113, 122, i, Column 11, lines 37-43, Column 12, lines 35-48, Column 15, lines 48-57), the receiver comprising means responsive to the indicators for controlling display of program and/or service information (See Bennington: Column 8, lines 49-67, Column 9, lines 7-30, Figure 1, 16).

Claims 14, 15 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al (US 2007/0271582 and hereafter referred to as "Ellis2").

Regarding Claim 14, Ellis2 discloses a receiver for receiving television signals in a plurality of channels each defining a television program (Page 3, paragraph 0050-0051, 0053), wherein the signals include sorting data or other listings data including ratings, descriptions, genres and actors defining a sorted list or electronic program guide (Page 3, paragraph 0050-0051, 0053) and scheduling data (title, start time, end time, channel) defining a schedule of program events or programs (Page 3, paragraph 0050, 0051, 0053), the receiver comprising:

means for sorting the scheduling data (times, titles, channels) (Page 3, paragraph 0043, Pages 4-5, paragraphs 0076-0078) depending on the sorting data (ratings, descriptions, genres, actors) to produce output signals defining an image of selected events in the program schedule for display as a sorted schedule on a television screen in an order depending on the sorted list or the electronic program guide (Figure 4, Pages 4-5, paragraphs 0076-0078).

Regarding Claim 15, Ellis2 discloses all the limitations of Claim 14. Ellis2 discloses the sorting data includes data to enable events in the schedule defined by the schedule data to be selected for display in the sorted schedule depending on the one of genre or subgenre (Pages 4-5, paragraphs 0076-0078, 0080, Figure 4).

Regarding Claim 40, Ellis2 discloses all the limitations of Claim 14. Ellis2 discloses means for filtering the schedule data based on ratings such that the sorted schedule is displayed as a filtered schedule of movies (Page 5, paragraph 0080, Figure 6).

Claims 16-18, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Usui et al (US 5,808,694 and hereafter referred to as “Usui”) in view of Eyer et al (US 6,160,545 and hereafter referred to as “Eyer”), Yuen (WO 97/47136 and hereafter referred to as “Yuen2”) and Eyer et al (US 5,801,753 and hereafter referred to as “Eyer2”).

Regarding Claim 16, Usui discloses a receiver for receiving TV signals in a first plurality of channels broadcast in a first broadcast network and including

program schedule data for the first network and TV signals in a second plurality of channels broadcast in a second broadcast network and including program schedule data for the second network (Figure 1, Column 6, lines 56-59, Column 7, lines 4-14, Figure 5, Column 8, lines 20-30, Figure 7, Column 9, lines 1-67, Column 10, lines 1-17, 22-26, Figure 22, 23, 24), a cache store for storing a portion of the program schedule data for the fist and/or second network transmitted from the time to time in at least one of the channels broadcast in the first network and/or the second network (Figure 5, 225, Figure 7, Column 9, lines 1-67, Column 10, lines 1-17, 22-26), means for decoding or converting the data in the cache store for display of a program schedule of the first or second broadcast network (Figure 10, Column 12, lines 21-54, Figure 7, Column 9, lines 1-67, Column 10, lines 1-17, 22-26). The Microsoft Press 3rd edition Computer Dictionary defines decoder as a device or program routine that converts coded data back to its original form and this means changing unreadable or encrypted codes into readable text or changing one code to another.

Usui is silent on the program schedule data being broadcast in one network at a faster rate than in the other network and means for receiving and decoding additional program schedule data from the first network for either the first or second broadcast network in response to a user request.

Eyer discloses that TV signals are broadcast via the first network or satellite network with program schedule or guide data (Figure 1, Column 3, lines 58-65) and TV signals are transmitted via second network or terrestrial/cable networks (Column 3, lines 58-65). Eyer discloses receiving IPG data via a first

network or satellite network (Figure 1, Column 5, lines 45-50). Eyer discloses that the interactive program guide (IPG) is being broadcast over the satellite network, means for receiving and decoding (Figure 1, 170, 180) additional program schedule data from the first network for either the first or second broadcast network (Column 13, lines 58-67, Column 5, lines 62-67, Column 8, lines 35-50, Column 15, lines 32-37) in response to a user request (Column 9, lines 56-67, Column 10, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Usui to include means for receiving and decoding (Figure 1, 170, 180) additional program schedule data from the signals for the network (Column 13, lines 58-67, Column 5, lines 62-67, Column 8, lines 35-50, Column 15, lines 32-37) in response to a user request (Column 9, lines 56-67, Column 10, lines 1-6) as taught by Eyer in order to provide cost and bandwidth benefits for the receiver and memory management (Column 2, lines 62-67, Column 9, lines 62-67, Column 10, lines 1-6, Column 11, lines 8-18) as disclosed by Eyer.

Yuen2 discloses that a user can receive program schedule data over a satellite network or cable network (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15) and the program schedule data broadcast over the first network at high speed in real time for 150 channels versus preloading the program schedule data over night into RAM or in the second network for 10-20 channels for cable or OTA channels (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15, Page 9, lines 9-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include user can receive program schedule data over a satellite network or cable network (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15) and the program schedule data broadcast over the first network at high speed in real time for 150 channels versus preloading the program schedule data over night into RAM or in the second network for 10-20 channels for cable or OTA channels (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15, Page 9, lines 9-15) as taught by Yuen2 in order to send high speed data for the 150 or more channels to the user without a longer wait which is inconvenient to the user.

Eyer2 discloses the trickle data is transmitted on at a slower rate than demand data transmitted on a real time basis at a much higher rate and preloading the data into RAM so that the data is readily available (Column 2, lines 61-67, Column 1, lines 1-16).

Therefore, it would have been obvious to modify the combination with Yuen2 with Eyer2 which meets the limitations of the program schedule data being broadcast in one network at a faster rate for real time data than the other network than the trickle data of 10-20 channels at a slower pace in order to make sure that the user does not wait for more than a few seconds (Column 1, lines 53-65) and economical in cost (Column 2, lines 1-3) as disclosed by Eyer2.

Furthermore, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-1350, slip. op. at 12 (2007), the Court found that if all the claimed elements

are known in the prior art then one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

Regarding Claim 17, Usui, Yuen2, Eyer and Eyer2 disclose all the limitations of Claim 16. Eyer discloses the cache store is updated when new data is transmitted in the first broadcast network or when the amount of time of IPG data can be stored such as the current 24 hours, which inherently includes that the cache store is updated with new data (Column 9, lines 21-24, 37-44, Column 10, lines 4-6).

Regarding Claims 18 and 37, Usui, Yuen2, Eyer and Eyer2 disclose all the limitations of Claims 16 and 17 respectively. Eyer discloses the broadcast program schedule data comprises depth data for specific models of receiver via the preformatted blocks of IPG data for daily schedules and title records (Column 11, lines 8-18), the receiver being arranged to receive depth data or receiving messages pertaining to and the amount of data that should be stored specifically schedule and title and/or descriptions in the cache store or RAM and this is dependent on the depth data or message to store as there are receivers without large enough storages to hold descriptions (Column 11, lines 26-33). The messages sent from the transmitted side is so that sorting and processing is performed only once at the transmitter versus at every decoder and also so that

memory management is simplified (Column 9, lines 62-67, Column 10, lines 1-6, Column 11, lines 8-18).

(10) Response to Argument

A. Rejection of Claims 9-11 and 26-36

The appellant argues that Ellis does not disclose means for comparing the channel identity and channel subset identity for a channel in a received signal with the reference channel and channel subset identities and means for outputting the received television signal for display of the programme or other services defined thereby depending on the comparison (Page 8). The appellant argues that Ellis relates to filtering EPG schedule data so that schedule information is stored in the user's environment. Therefore, Ellis discloses using group numbers as filtering criteria for localized version (page 9). The appellant argues that Claim 9 has nothing to do with EPG schedule data.

In response the arguments, the examiner respectfully disagrees. Ellis discloses a channel set identity or group number for Colorado (Column 3, lines 49, 66-67, Column 4, lines 1-9) and group number of channel subset for Denver (Column 3, lines 50-65) and storing a reference channel set identity or group number and one or more reference channel subset identities or group numbers (Column 3, lines 50-65, 66-67, Column 4, lines 1-9). Ellis discloses means for comparing (Figure 1, 53, Column 3, lines 30-35, Column 4, lines 9-11) the channel identity and channel subset identity for a channel in received signal with the reference channel and channel subset identifies as group numbers for a

channel are compared with the stored group numbers (Column 4, lines 2-15); and means for outputting the received TV signal for display of the program or other services defined depending on the comparison (Figure 2, 52, 54, Column 1, lines 13-20, 61-67, Column 2, lines 1-4, 49-57; See Bennington: Figure 18, Abstract, Column 4, lines 15-28). Ellis discloses available channel data as the comparison of available channel due to the region are displayed to the user (Figure 2).

The appellant argued that Claims 10-13 and 26-36 depend from Claim 9 and incorporate all the limitations of claim 9.

In response to the argument, see above response.

B. Rejection of Claims 14, 15 and 40

Regarding Claims 14, 15 and 40, the appellant argues that Ellis2 does not anticipate the claim because it does not disclose signals including sorting data defining a sorted list and display a program schedule in an order depending on the sorted list nor means for structure corresponding to the means for sorting (Page 10). The appellant argues that the Ellis2 does not disclose components for sorting and Ellis does not disclose a receiving a sorted list or a processor executing software configured to compute index lists (Page 11). The appellant argues that the examiner objected in the previous Office Action that the claims do not disclose sending the sorted list over the air but that Claim 14 recites signals including sorting data defining a sorted list (Page 11).

In response to the argument, Claim 14 does not disclose sending the sorted list over the air. The limitation recites signals including sorting data defining a sorted list. It is necessarily included that the word “define” can include the meaning of explaining, identifying or specifying essential qualities or describe. Ellis2 discloses sending sorting data or other listings data including ratings, descriptions, genres and actors which define a sorted list or an electronic program guide (EPG). Therefore, the listing information is sorting data specifying, identifying or explaining the EPG (Page 3, paragraph 0050-0051, 0053). Therefore, Ellis2 discloses a sorted list included an arranged list and the EPG can be arranged list based on the listing information.

Ellis2 discloses a set top box or receiver with means for sorting or a processor handling tasks for implementing a program guide (Page 5, paragraph 0053). Ellis2 recites:

> [0053] Each user has a receiver, which is typically a set-top box such as set-top box 44, but which may be other suitable television equipment into which circuitry similar to set-top-box circuitry has been integrated. Program guide data is distributed to set-top boxes 44 periodically. Television distribution facility 36 may also poll set-top boxes 44 periodically for certain information (e.g., pay program account information or information regarding programs that have been purchased and viewed using locally-generated authorization techniques). Main facility 32 preferably contains a processor to handle information distribution tasks. **Each set-top box 44 preferably contains a processor to handle tasks associated with implementing a program guide application on the set-top box 44.** Television distribution facility 36 may contain a processor for tasks associated with monitoring a user's interactions with the interactive program guide implemented on set-top boxes 44 and for handling tasks associated with the distribution of program guide data and other information to user television equipment 40.

Claim 14 also recites: “receiver receiving television signals in a plurality of channels...signals include sorting data." The claims do not recite that the signals are sent over the air. Ellis2 also recites

[0048] An illustrative program guide system 30 in accordance with the present invention is shown in FIG. 1. Main facility 32 contains a program guide database 34 for storing program guide information such as television program guide listings data, pay-per-view ordering information, television program promotional information, etc. Information from database 34 may be transmitted to television distribution facility 36 via communications link 38. **Link 38 may be a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, a combination of such links, or any other suitable communications path.** If **it is desired to transmit video signals over link 38 in addition to data signals, a relatively high bandwidth link such as a satellite link** is generally preferable to a relatively low bandwidth link such as a telephone line.

Therefore, Ellis2 discloses the elements of the claim including: means for sorting the scheduling data (times, titles, channels) (Page 3, paragraph 0043, Pages 4-5, paragraphs 0076-0078) depending on the sorting data (ratings, descriptions, genres, actors) to produce output signals defining an image of selected events in the program schedule for display as a sorted schedule on a television screen in an order depending on the sorted list or the electronic program guide (Figure 4, Pages 4-5, paragraphs 0076-0078).

The appellant argued that Claims 15 and 40 depend from Claim 14 and incorporate all the limitations of claim 14.

In response to the argument, see above response.

D. Rejection of Claims 16-18 and 37

Regarding Claim 16, the appellant argues that the combination fails to teach means for receiving and decoding additional programme schedule data from the first network for either of the first or second broadcast network in response to a user request (Page 17). The appellant argues that the structure

for means for receiving and decoding additional program schedule data from the first network includes the processor executing software configured to obtain sections of schedule from fast transmission of satellite service (Page 17). The appellant argues that Eyer and Usui do not teach a system that receives and caches program schedule data over the first and second network, the program schedule data for the first network being broadcast at a faster rate than the program schedule of the second network scheduling including an on demand mode (Page 18). The appellant argues that Eyer discloses EPG data for both satellite and CATV network is broadcast over satellite network only (Page 18). The appellant argues that Eyer discloses user request for display not reception of data (Page 18). The appellant argues Yuen discloses teaches away from combining EPG data from two different networks on the same network from the respective network and combining the schedule data at the receiver and contradicts Eyer (Page 19).

In response to the appellant, Usui discloses a receiver for receiving program guide data from two networks (Figure 23). Eyer discloses that the interactive program guide (IPG) is being broadcast over the satellite network, means for receiving and decoding (Figure 1, 170, 180) additional program schedule data from the first network for either the first or second broadcast network (Column 13, lines 58-67, Column 5, lines 62-67, Column 8, lines 35-50, Column 15, lines 32-37) in response to a user request (Column 9, lines 56-67, Column 10, lines 1-6). Eyer disclose a condition for storing EPG data by user

corresponds to means for receiving and decoding any additional EPG data that is not default as requested by the user (Column 9, lines 8-17, 45-67).

Yuen2 discloses receiving program schedule data. Eyer is used in the combination for additional program schedule data for the first or the second network on the first network. Yuen2 discloses that a user can receive program schedule data over a satellite network or cable network (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15) and the program schedule data broadcast over the first network at high speed in real time for 150 channels versus preloading the program schedule data over night into RAM or in the second network for 10-20 channels for cable or OTA channels (Figure 1, 20, 36, Page 1, lines 28-33, Page 2, lines 13-15, Page 9, lines 9-15). Eyer2 discloses the trickle data is transmitted on at a slower rate than demand data transmitted on a real time basis at a much higher rate and preloading the data into RAM so that the data is readily available (Column 2, lines 61-67, Column 3, lines 1-16).

Therefore, Yuen2's combined with Eyer2 meets the limitation of program schedule data being broadcast in one network at a faster rate than in the other network with program schedule data being broadcast in one network at a faster rate for real time data than the other network than the trickle data of 10-20 channels at a slower pace.

Furthermore, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-1350, slip. op. at 12 (2007), the Court found that if all the claimed elements are known in the prior art then one skilled in the art could have combined the

elements as claimed by known methods with no change in their respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

This examiner's answer contains a new ground of rejection set forth in section **(9)** above. Accordingly, appellant must within **TWO MONTHS** from the date of this answer exercise one of the following two options to avoid *sua sponte* **dismissal of the appeal** as to the claims subject to the new ground of rejection:

(1) **Reopen prosecution.** Request that prosecution be reopened before the primary examiner by filing a reply under 37 CFR 1.111 with or without amendment, affidavit or other evidence. Any amendment, affidavit or other evidence must be relevant to the new grounds of rejection. A request that complies with 37 CFR 41.39(b)(1) will be entered and considered. Any request that prosecution be reopened will be treated as a request to withdraw the appeal.

(2) **Maintain appeal.** Request that the appeal be maintained by filing a reply brief as set forth in 37 CFR 41.41. Such a reply brief must address each new ground of rejection as set forth in 37 CFR 41.37(c)(1)(vii) and should be in compliance with the other requirements of 37 CFR 41.37(c). If a reply brief filed

pursuant to 37 CFR 41.39(b)(2) is accompanied by any amendment, affidavit or other evidence, it shall be treated as a request that prosecution be reopened before the primary examiner under 37 CFR 41.39(b)(1).

Extensions of time under 37 CFR 1.136(a) are not applicable to the TWO MONTH time period set forth above. See 37 CFR 1.136(b) for extensions of time to reply for patent applications and 37 CFR 1.550(c) for extensions of time to reply for ex parte reexamination proceedings.

Respectfully submitted,

/Farzana Hossain/

Farzana Hossain

A Technology Center Director or designee must personally approve the new ground(s) of rejection set forth in section (9) above by signing below:

/Timothy P Callahan/

Director, Technology Center 2400

Conferees:

/Christopher Kelley/

Supervisory Patent Examiner, Art Unit 2424

/Scott Beliveau/

Supervisory Patent Examiner, Art Unit 2427